1 FILED IN THE U.S. DISTRICT COURT 2Jan 17, 2024 3 SEAN F. McAVOY, CLERK UNITED STATES DISTRICT COURT 4 EASTERN DISTRICT OF WASHINGTON 5 6 JUDY Y.,1 1:23-cv-3176-EFS No. 7 Plaintiff, ORDER GRANTING THE PARTIES' 8 STIPULATED MOTION FOR v. REMAND PURSUANT TO 9 MARTIN O'MALLEY, Commissioner of SENTENCE FOUR OF 42 U.S.C. § 405(g) Social Security,² 10 Defendant. 11 The parties agree that the matter should be reversed and remanded to the 12 Commissioner of Social Security pursuant to sentence four of 42 U.S.C. § 405(g) 13 for further administrative proceedings. Consistent with the parties' agreement, IT 14 IS HEREBY ORDERED: 15 The parties' Stipulated Motion for Remand, **ECF No. 4**, is 1. 16 GRANTED. 17 18 ¹ For privacy reasons, the Court refers to every social security plaintiff by first 19 name and last initial or by "Plaintiff." See LCivR 5.2(c). 20 ² Martin O'Malley became the Commissioner of Social Security on December 20, 21 2023. Pursuant to Federal Rules of Civil Procedure 25(d) and 42 U.S.C. § 405(g), he 22 is hereby substituted for Kilolo Kijakazi as the defendant. 23

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- 2. This matter is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the Appeals Council is to instruct the ALJ to develop the record as needed, offer Plaintiff the opportunity for a new hearing, and issue a new decision.
- The Clerk's Office shall enter JUDGMENT in favor of Plaintiff and CLOSE the case.

Sward F. Shea

IT IS SO ORDERED. The Clerk's Office is directed to enter this Order and provide copies to all counsel.

DATED this <u>1</u>7th day of January 2024.

EDWARD F. SHEA Senior United States District Judge